

## AMENDMENT

### **In the Claims:**

Please amend claims 1, 13, 48, 66 and 68, so that the text of the amended claims read as follows:

1. (Amended) A composition comprising at least a first nucleic acid segment in association with a structural matrix, wherein:

- (a) at least a portion of said structural matrix is comprised of a porous polymer that contains pores formed by gas foaming and pores formed by leaching out of a particulate from the polymer; or
- (b) at least a portion of said structural matrix is a porous alginate or modified alginate matrix.

13. (Amended) The composition of claim 1, wherein at least a portion of said structural matrix is a porous alginate or modified alginate matrix.

48. (Amended) A composition comprising at least a first nucleic acid segment in non-covalent association with a structural, porous alginate or modified alginate matrix.

66. (Amended) A kit comprising, in at least a first suitable container, at least a first nucleic acid segment and a structural matrix, wherein at least a portion of said structural matrix is a structural, porous alginate or modified alginate matrix or a structural matrix comprised of a porous polymer that contains pores formed by gas foaming and pores formed by leaching out of a particulate from the polymer.

68. (Amended) An implantable device comprising at least a first nucleic acid segment in association with a structural matrix, wherein at least a portion of said structural matrix is a structural, porous alginate or modified alginate matrix or a structural matrix comprised of a porous polymer that contains pores formed by gas foaming and pores formed by leaching out of a particulate from the polymer.

[ Please add new claims 102 and 103, as follows: ]

102. (New) The kit of claim 66, wherein at least a portion of said structural matrix is comprised of a porous polymer that contains pores formed by gas foaming and pores formed by leaching out of a particulate from the polymer.

103. (New) The implantable device of claim 68, wherein at least a portion of said structural matrix is comprised of a porous polymer that contains pores formed by gas foaming and pores formed by leaching out of a particulate from the polymer.

## RESPONSE

### I. Status of the Claims

Prior to the present Action, claims 1-68 were pending and have been examined (claims 69-101 were earlier canceled as drawn to non-elected inventions). Presently, claims 1, 13, 48, 66 and 68 have been amended without narrowing to even further improve their clarity. No claims have been canceled. Claims 102 and 103 have been added, which are unified with the examined claims and fully supported by the application as filed.

Claims 1-68, 102 and 103 are therefore in the case. In accordance with 37 C.F.R. § 1.121, copies of the pending claims are attached hereto. **Exhibit A** provides a clean copy of all